

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID GARCIA,

Defendant.

**8:23CR38**

**ORDER ON APPEARANCE FOR  
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on June 9, 2025 regarding Petition for Offender Under Supervision [43]. Jeffrey Thomas represented the defendant. Kimberly Bunjer represented the government on behalf of Lecia Wright. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The defendant is being released pending a final dispositional hearing. Therefore, the defendant does not have a right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds the petition sets forth probable cause to believe the defendant violated the terms of supervised release. The defendant shall appear personally for a final dispositional hearing before U.S. District Judge Brian C. Buescher in Courtroom No. 5, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 11:30 a.m. on July 24, 2025.

The government did not move for detention. The defendant shall be released on the current terms and conditions of supervision with the following additional condition. The defendant shall be placed on a Remote Alcohol Monitoring handheld device for a period up to 120 days. Remote Alcohol Monitoring handheld device shall commence according to a schedule arranged by the U.S. Probation and Pretrial Services Office. While in the program, the defendant will carry a portable breath testing device and provide breath tests when prompted, via text, by the device. The participant agrees to keep the equipment fully charged. The participant shall also be responsible for the costs of the testing program.

**IT IS SO ORDERED.**

Dated this 9th day of June, 2025.

BY THE COURT:

s/ F.A. Gossett, III  
United States Magistrate Judge